



## **603.04 Basic Gain Time**

Number Series: 600 - Corrections Division

Sheriff's Approval: Digital

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### **603.04-1 Policy**

- I. The Hendry County Sheriff's Office will administer the basic gain time award in a uniform manner to qualified inmates sentenced to serve time in the Hendry County Jail.
- II. Sentenced inmates will be awarded gain time based upon length of sentence, productive and acceptable work performance and behavior, as prescribed by Florida law.

### **603.04-2 Procedure**

Basic Gain Time:

- I. Basic gain time is automatically credited to sentenced inmates who satisfactorily perform the work, duties, and tasks assigned and who adhere to HCSO Corrections Division and DOC Rules and Regulations, and Florida Law.
- II. Jail staff is responsible for computing proper inmate release dates.
- III. Forfeiture of basic gain time for unsatisfactory performance or behavior shall be in accordance with F.S. Section 944.28. Forfeiture shall not be imposed unless the unsatisfactory performance or behavior has been documented and the inmate has been afforded a hearing before an Inmate Disciplinary Hearing Officer, which recommends appropriate action for review by the Jail Administrator.
- IV. Basic gain time will be calculated at the rate of five days per month for the first and second years of a sentence, ten days per month for the third and fourth years and 15 days a month for the fifth and subsequent years once an inmate has been sentenced.

### **603.04-3 Exceptions**

Basic Gain Time will not be afforded to inmates who are:

- I. Sentenced on contempt.
- II. Sentenced on court orders such as non compliance with child support.
- III. By court order of no gain time.

## **603.04-4      Final Release Dates**

- I.    Jail staff will compute release dates upon final disposition of all charges for inmates incarcerated at the time of sentencing and for those who were not incarcerated at the time of sentencing.
- II.    Jail staff shall maintain updated release dates in the computer and on the individual inmate arrest cards.

### **DEFINITIONS**

**Basic Gain Time** – F.S. Section 951.21(1) requires the Hendry County Board of County Commissioners to reduce sentence length, at the rate of five days per month, to inmates sentenced to the Hendry County Jail. Basic gain time is not afforded inmates sentenced to 29 days or less. Basic gain time awarded is subject to forfeiture by the Hendry County Board of County Commissioners upon the recommendation of the Sheriff or Jail Administrator for violations of any Federal, State, or County law or violations of facility rules and regulations.

**Credit Time** - The amount of time to be deducted from an inmate's sentence for incarceration prior to sentencing.

**Full Time** - The entire length of sentence as specified in an inmate's commitment documents.

**Tentative Release Date** - An inmate's scheduled release date determined by deducting credit time and basic gain time from the inmate's total length of sentence.

### **REFERENCES**

State/Federal Regulations:

    Florida Model Jail Standards  
    § 944.28, Fla. Stat.  
    § 951.21(1), Fla. Stat.

FCAC:

N/A

PREA:

N/A

Forms:

N/A

Other Policy/ Procedure References:

    600.00 Table of Content